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## Planning Commission Staff Report

**TO:** PLANNING COMMISSION

**FROM:** NATHAN WILLIAMS, PLANNER II, *NW*  
(480) 503-6805, NATHAN.WILLIAMS@GILBERTAZ.GOV

**THROUGH:** CATHERINE LORBEER, AICP, PRINCIPAL PLANNER *chl*  
(480) 503-6016, CATHERINE.LORBEER@GILBERTAZ.GOV

**MEETING DATE:** MARCH 5, 2014

**SUBJECT:** UP13-23 TRAPEZE U; A CONDITIONAL USE PERMIT FOR APPROXIMATELY 1 ACRE OF REAL PROPERTY LOCATED AT THE SOUTHEAST CORNER OF 144TH STREET AND PECOS ROAD TO ALLOW AN ENTERTAINMENT AND RECREATION, OUTDOOR USE IN THE BUSINESS PARK (BP) ZONING DISTRICT, SUBJECT TO CONDITIONS.

**STRATEGIC INITIATIVE:** Community Livability

Allow for a diversity of uses in the Town and allow a Trapeze School in the Business Park (BP) zoning district.

### RECOMMENDED MOTION

Move to make the Findings of Fact and Approve UP13-23 Trapeze U; A request for a Conditional Use Permit for approximately 1 acre of real property located at the southeast corner of 144th Street and Pecos Road to allow an Entertainment and Recreation, Outdoor Use in the Business Park (BP) zoning district, subject to conditions.

## **APPLICANT/OWNER**

Brian Lazarus  
Trapeze U LLC  
815 E. Pecos Road  
Gilbert, AZ 85295  
V: 858-336-0863  
E: [brian@trapezeu.com](mailto:brian@trapezeu.com)

Carin Carter Lazarus  
1002 Coachford Court  
Lutherville, MD 21093  
V: 410-493-0872  
E: [carin@mspromotions.com](mailto:carin@mspromotions.com)

## **BACKGROUND/DISCUSSION**

### **History**

<i>Date</i>	<i>Action</i>
March 25, 2008	The Town Council adopted Ordinance No. 2131 in annexation case A07-86 annexing the 1 acre subject site.
June 10, 2008	The Town Council adopted Ordinance No. 2171 in rezoning case Z07-126 for the 1 acre subject site.

## **OVERVIEW**

The subject site is zoned Business Park (BP) and is currently developed with a mobile office structure, garage building and trapeze apparatus structure. The Trapeze U facility exists on the subject site today. However, the applicant/ owner proposes to remove the existing buildings and construct a new multi-phased development for a new trapeze school for Trapeze U. Phase I would include a 6,790 sq. ft. building with offices and indoor trapeze area as well as outdoor trapeze area on the eastern side of the building, parking and all other site improvements including landscaping and hardscape. Phase II would include an additional indoor area of approximately 1,466 sq. ft. and would be attached to the Phase I building.

Within the Business Park (BP) zoning district, the applicant proposes the following uses: *General Office, Entertainment and Recreation, Indoor - Small-scale* as well as *Entertainment and Recreation, Outdoor*. All of the proposed uses are permitted in the Business Park (BP) zoning district. However, *Entertainment and Recreation, Outdoor* use requires the approval of a Conditional Use Permit.

## **SITE PLAN**

Ingress/ egress to the 1 acre Trapeze U site will be from two (2) access drives on 144<sup>th</sup> Street on the western portion of the site. The proposed Trapeze U facility will be located on the northern portion of the 1 acre site and the outdoor trapeze area (approximately 15'-20' wide) will be located on the eastern side of the proposed indoor facility. The orientation of the indoor Trapeze U building will be four-sided, with the entrance into the facility facing the south or the parking area from 144<sup>th</sup> Street. The proposed Trapeze U facility will be 1-story/ 35' in height. A maximum of 2-story/ 35' in height is permitted by the LDC – Section 2.604.

The approx. 33' tall outdoor trapeze apparatus will be relocated on the site and will now be situated on the eastern portion of the proposed building but will continue to be setback from the east property line by approximately 25'. The proposed parking on the subject site will be located on the south side of the proposed building, will exceed the parking spaces required and therefore will comply with the parking requirements of the LDC.

The full site improvements for the Trapeze U facility are being reviewed and will need to be approved by the Design Review Board, currently scheduled for the March 13, 2014 public meeting. The proposed parking on the subject site will be located entirely on the subject site with some vendor and employee parking to the sides and rear.

**Surrounding Land Use & Zoning Designations:**

	<b>Existing Land Use Classification</b>	<b>Existing Zoning</b>
North	Residential > 3.5 – 5 DU/ Acre	Pecos Road then SF-8
South	Business Park (BP)	Maricopa County Rural 43
East	Business Park (BP)	Maricopa County Rural 43
West	Neighborhood Commercial (NC)	144 <sup>th</sup> Street then Canal then existing San Tan Village Commercial Center
Site	Business Park (BP)	Business Park (BP)

**Project Data:**

Current zoning	Business Park (BP)	
	<b>Required per LDC</b>	<b>Proposed</b>
Lot area	--	1 acre
Total building area	--	6,790 sq. ft. (Phase I) 1,466 sq. ft. (Phase II) 1,600 sq. ft. (Outdoor trapeze area)
Building height	35' (2- story)	35' (1- story)
Landscape	Min. 15% of net lot area	51%
Parking:	Vehicular Parking: Entertainment and Recreation Indoor - 1 space per 150 sq. ft. Entertainment and Recreation Outdoor - 2 spaces. General Office - 1 space per 250 sq. ft.	35 spaces required <b>47 spaces provided</b>

### **PUBLIC NOTIFICATION AND INPUT**

A notice of public hearing has been published in a newspaper and official notice was posted on the site and notification sent to adjoining property owners at the time of the public hearings on this case.

To date, staff has received two (2) letters of support from the surrounding property owners, directly adjacent to the subject site on the east and south sides. No letters of opposition have been received.

### **CONFORMANCE WITH GENERAL PLAN**

The subject site is an area in transition with much of the surrounding property being large lot residential lots and businesses, located in unincorporated areas of Maricopa County, all of which are designated as Business Park (BP) by the Town's General Plan. The proposed use permit for an *Entertainment and Recreation, Outdoor* use, conforms to the General Plan land use category of Business Park (BP).

### **PROPOSITION 207**

An agreement to "Waive Claims for Diminution in Value" Pursuant to A.R.S. § 12-1134 was signed by the landowners of the subject site, in conformance with Section 5.201 of the Town of Gilbert Land Development Code. This waiver is located in the case file.

### **FINDINGS**

The Planning Commission is required to make four findings in order to approve a Conditional Use Permit. The findings are listed below, along with the reasons why staff is of the opinion that the findings are or are not met in this case.

- 1. The proposed use will not be detrimental to health, safety, or general welfare of persons living or working in the vicinity, to adjacent property, to the neighborhood, or to the public in general.***

The Trapeze U facility currently exists on the subject site as a use and therefore appears to be a suitable use on the 1 acre site. The proposed *Entertainment and Recreation, Outdoor* use should not be detrimental to the health, safety or welfare of persons working or residing in the vicinity as the use will provide a necessary service to the immediate area, and all parking and circulation for the use is projected to be maintained on the subject site itself. Staff notes that both of the adjacent properties owners (east and south property lines) have provided letters of support for the proposed use permit (UP13-23) for Trapeze U as well as the existing use on the site. The proposed *Entertainment and Recreation, Indoor and Outdoor* uses will provide an amenity to the community, one which the neighbor directly to the east utilizes currently and is supportive of.

**2. *The proposed use conforms to the purposes, intent, and policies of the General Plan and its policies and any applicable area, neighborhood, or other plan adopted by the Town Council.***

The subject site is an area in transition with much of the surrounding property being large lot residential lots and businesses, located in unincorporated areas of Maricopa County, all of which are designated as Business Park (BP) by the Town's General Plan. The existing Trapeze U facility operates on the subject site today and the proposed use permit for an *Entertainment and Recreation, Outdoor* use conforms to the General Plan land use category of Business Park (BP). Staff notes that no use permit is required for the other proposed uses of *General Office* and *Entertainment and Recreation, Indoor Small-scale*.

Staff is of the opinion that the proposed use and site plan meets the intent of the Business Park (BP) land use category, meets the required development standards, provides appropriate design solutions for the immediate area and therefore meets the policies contained in the General Plan.

**3. *The proposed use conforms to the conditions, requirements, or standards required by the Zoning Code and any other applicable local, State, or Federal requirements.***

The subject site is zoned Business Park (BP) zoning district. The proposed Trapeze U facility uses are classified as a *General Office* and *Entertainment and Recreation, Indoor Small-scale and Outdoor*, providing for *Public or private fitness centers, theaters, bowling alleys, skating rinks, billiard parlors and pool halls, amusement arcades, gymnasiums, sports courts, swimming pools, and similar uses. Incidental sales of food and beverages are permitted.*

The proposed 6,790 sq. ft. Trapeze U facility will be 1-story in height, a maximum of 35' high and the outdoor? trapeze rig will be approx. 33' in height to the top of the structure. The uses and services associated with the Trapeze U facility will include all of the typical uses related to an indoor and outdoor fitness and exercise centers and classes associated with the use.

Staff notes that the proposed buildings and outdoor trapeze rig are located within the building envelope and meet all the required setbacks by the LDC – 2.604. The facility will also be required to comply with the Municipal Code provisions for light, glare, noise etc. Under LDC – 2.6, there is no maximum limit for hours of operation in the Business Park (BP) zoning district. As noted by the applicant, the hours of operation will remain as they typically are with the existing outdoor facility operating from– 7am-12pm and 7pm-10pm (summer hours) and 10am-5pm (winter hours). The indoor hours of operation (approx. 6am – 10pm) will be new, as the proposed facility will offer the indoor operations will not be impacted by seasonal weather.

The proposed Use Permit request is only required for the outdoor use of the trapeze and not the indoor use, which is permitted by right within the BP zoning district. Additionally, the applicant notes that the new indoor facility will contain the majority of use and related classes and the outdoor trapeze rig will be utilized during seasons where the weather is permitting. All State and Federal requirements appear to be met. Other development requirements related to the circulation pattern, parking, stacking, lighting, and landscape buffers are met and depicted on the site plan, which will also be considered for approval under the concurrent Design Review Board application (DR13-43).

***4. The proposed use, as conditioned, would not unreasonably interfere with the use and enjoyment of nearby properties.***

Staff is of the opinion that the request for an *Entertainment and Recreation, Outdoor* use does not unreasonably impact or interfere with the use and enjoyment of neighboring properties since the location of the buildings, trapeze rig, access/ circulation and subsequent parking on the subject site is designed in a manner to mitigate any of the potential impacts on adjoining uses both existing and future.

As noted above, staff has received two (2) letters of support from the surrounding property owners, directly adjacent to the subject site on the east and south sides. No letters of opposition have been received. All the required development standards for the Business Park (BP) zoning district are met with the proposed project. As analyzed above, Staff is of the opinion that the project meets the four findings required for granting the Conditional Use Permit.

**STAFF RECOMMENDATION**

Move to make the findings of fact and approve UP13-23 Trapeze U; a Conditional Use Permit for approximately 1 acre of real property located at the southeast corner of 144th Street and Pecos Road to allow an Entertainment and Recreation, Outdoor use in the Business Park (BP) zoning district, subject to conditions;

1. The Trapeze U facility shall be in substantial conformance with the Site Plan and Exhibits shown in Attachments 4, as approved by the Planning Commission at the March 5, 2014 public hearing and pending approval by the Design Review Board on March 13, 2014.

Respectfully submitted,



Nathan Williams  
Planner II

**Attachments:**

1. Findings of Fact
2. Notice of Public Hearing
3. Aerial Photo
4. Site Plan
5. Project Narrative (4 pages)

## **FINDINGS OF FACT**

UP13-23: Trapeze U: Request to approve a Conditional Use Permit for approximately 1 acre of real property located at the southeast corner of 144th Street and Pecos Road to allow an Entertainment and Recreation, Outdoor use in the Business Park (BP) zoning district.

Staff provides the following findings of facts, subject to the conditions of approval provided below, to substantiate approval of the project:

1. The proposed use will not be detrimental to health, safety, or general welfare of persons living or working in the vicinity, to adjacent property, to the neighborhood, or to the public in general;
2. The proposed use conforms with the purposes, intent, and policies of the General Plan and its policies and any applicable area, neighborhood, or other plan adopted by the Town Council;
3. The proposed use conforms with the conditions, requirements, or standards required by the Zoning Code and any other applicable local, State, or Federal requirements; and
4. The proposed use, as conditioned, would not unreasonably interfere with the use and enjoyment of nearby properties.

# Notice of Public Hearing

UP13-23

Attachment 2: Notice of Public Hearing  
March 5, 2014

**Planning Commission Date:**

**Wednesday, March 5, 2014\* TIME: 6:00 PM**

**LOCATION: Gilbert Municipal Center, Council Chambers**  
**50 E. Civic Center Drive**  
**Gilbert, Arizona 85296**

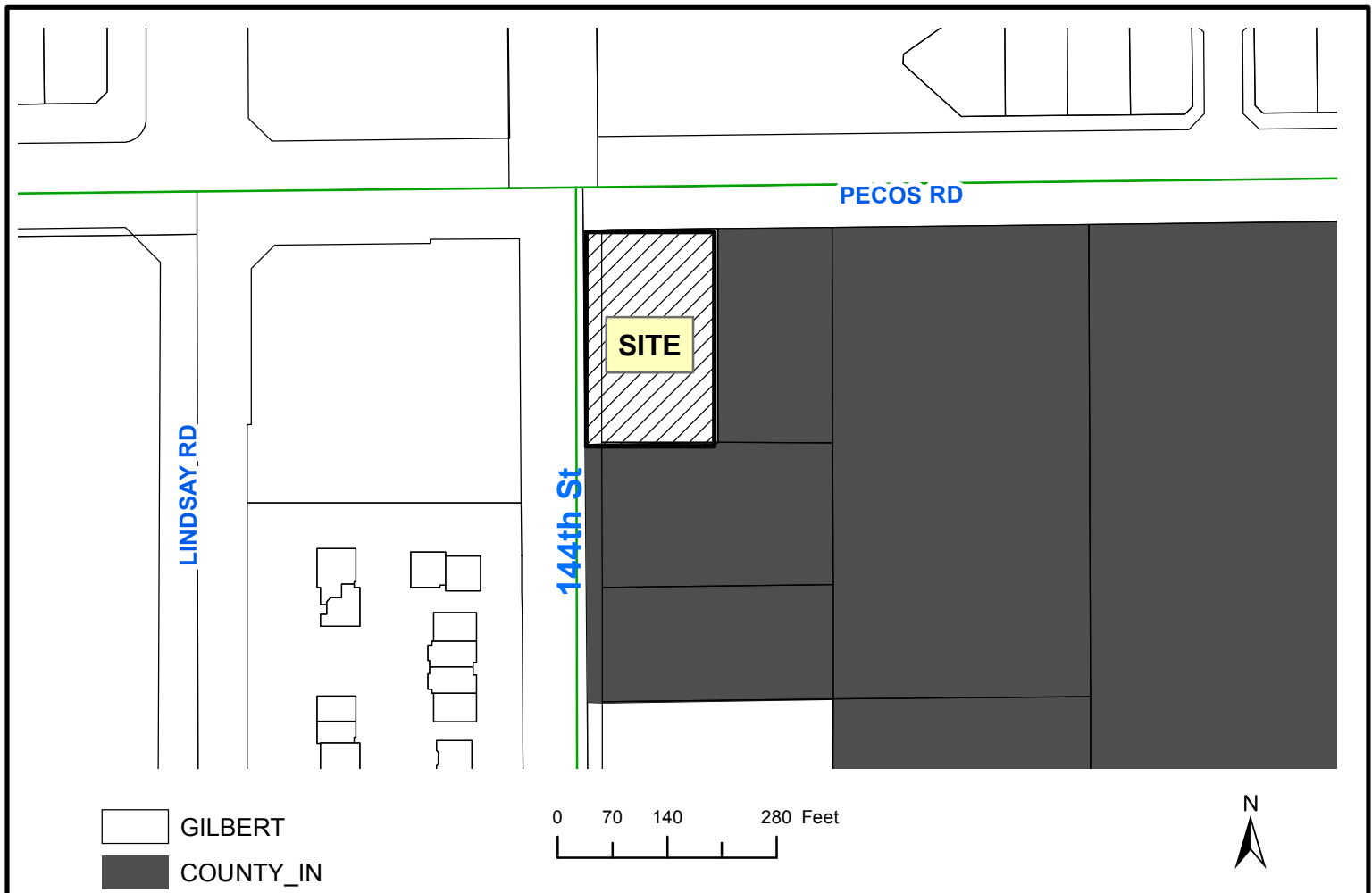
**\* Call Planning Department to verify date and time: (480) 503-6700**

## **REQUESTED ACTION:**

UP13-23 Trapeze U: Request to approve a Conditional Use Permit for approximately 1 acre of real property located at the southeast corner of 144th Street and Pecos Road to allow an Entertainment and Recreation, Outdoor use in the Business Park (BP) zoning district, subject to conditions to limit or address compatibility with adjoining uses related to the site plan.

\* The application is available for public review at the Town of Gilbert Development Services division Monday - Thursday 7 a.m. - 6 p.m.

## **SITE LOCATION:**

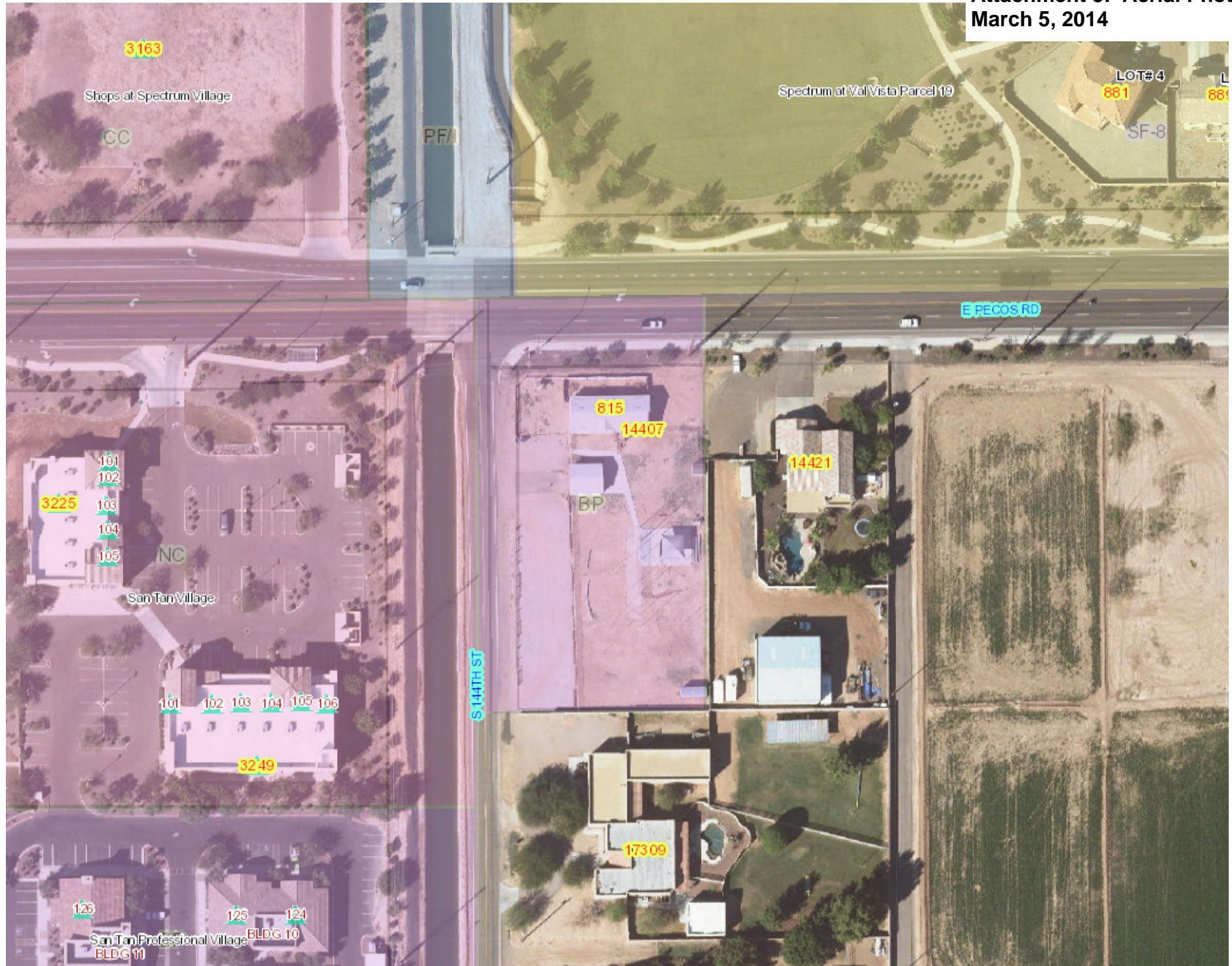


**APPLICANT: Trapeze U, LLC**  
**CONTACT: Brian Lazarus**  
**ADDRESS: 815 East Pecos Road**  
**Gilbert, Arizona 85295**

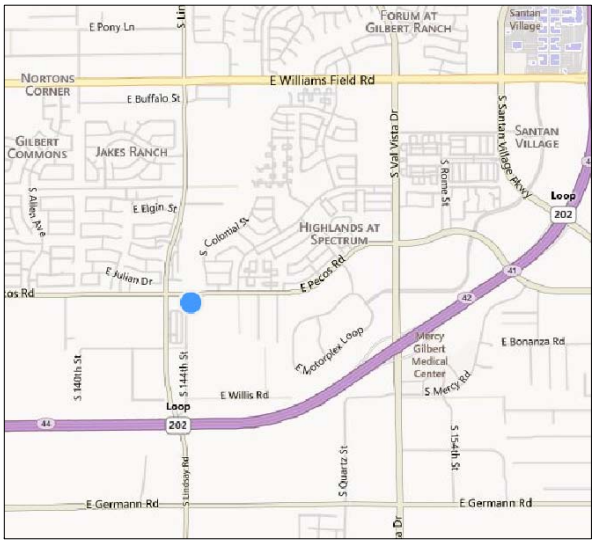
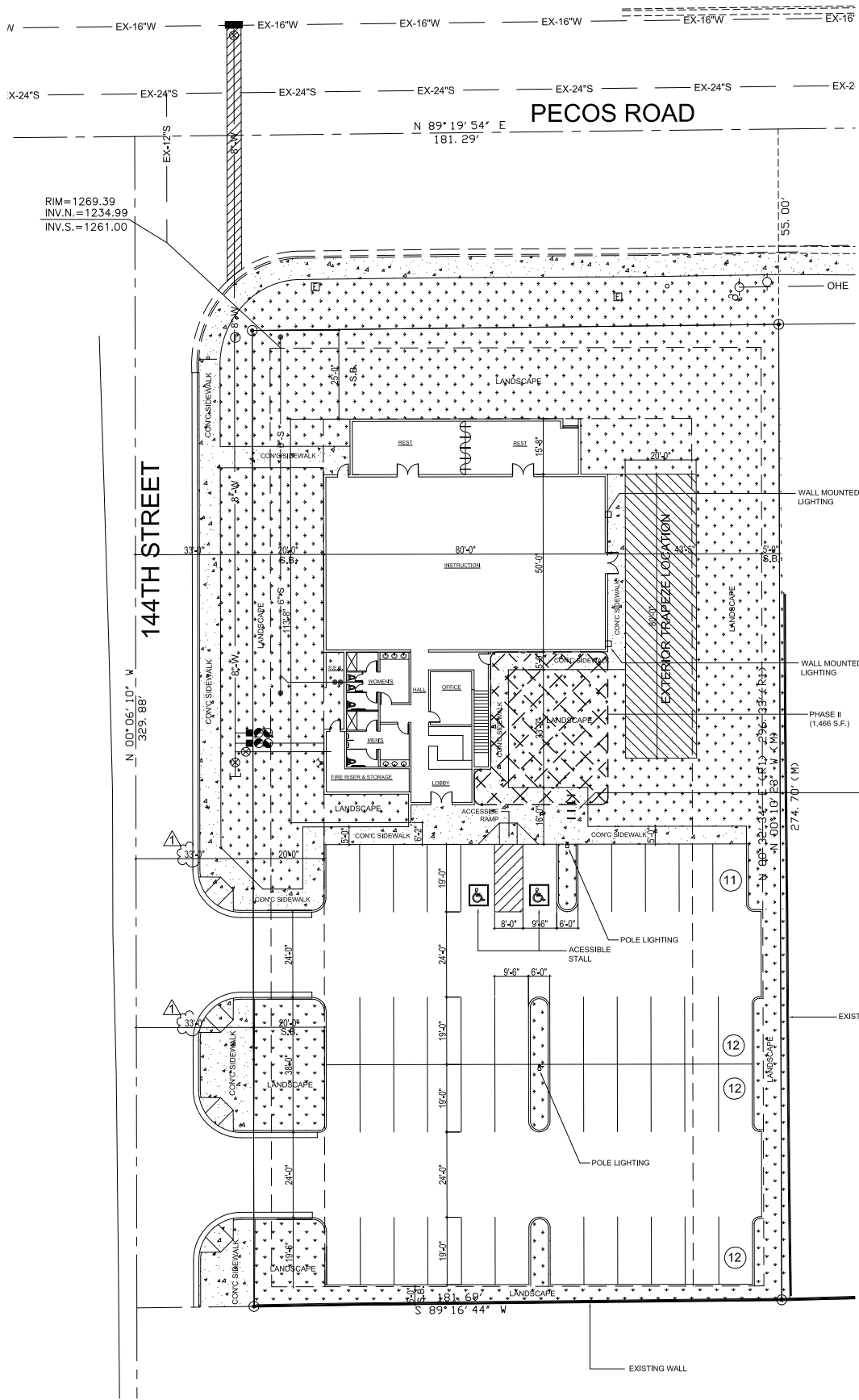
**TELEPHONE: (858) 336-8063**

**E-MAIL: Brian@trapezeu.com**

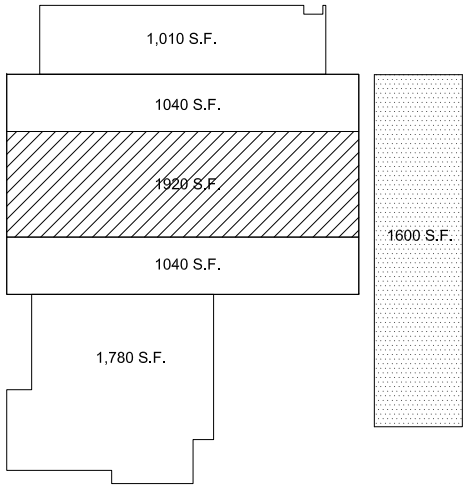








VICINITY MAP  
N.T.S.



SQUARE FOOTAGE PLAN  
SCALE: 1" = 20'-0"

SQUARE FOOTAGE CALCULATION:

BUILDING AREA  
- ENTERTAINMENT AND RECREATION, INDOOR : 1,920 S.F.  
- OFFICE, GENERAL (1010+1040+1040+1780) : 4,870 S.F.  
TOTAL: 6,790 S.F.  
ENTERTAINMENT AND RECREATION, OUTDOOR : 1,600 S.F.

NOTES:  
1. A PERCOLATION TEST FOR THE BASIN SHALL BE PERFORMED.  
2. A DRYWELL WILL BE REQUIRED IF THE RESULTS DEMONSTRATE THAT THE BASIN WILL NOT DRAIN WITHIN THE REQUIRED 36 HOURS.

BUILDING CODE:

2012 International Building Code  
2012 International Residential Code  
2012 International Mechanical Code  
2012 International Plumbing Code  
2012 International Fuel Gas Code  
2006 International Energy Conservation Code  
2012 International Fire Code  
2011 National Electrical Code  
The Arizonans with Disabilities Act and Implementing Rules  
Building and Construction Regulations Code of the Town of Gilbert, Arizona - 2013 Edition

PROJECT NARRATIVE:

The Trapeze U school is a gymnastic school that is a .937 acre parcel that is zoned 'BP' and located on Pecos Rd. just east of S. Lindsay Rd. right past 144th St.. Currently on the parcel there is an existing building which is used for as an office that is being removed completely. The project is not being phased. The whole site is being developed under this permit. A new indoor trapeze gymnasium is being proposed. The outdoor Trapeze area will be moved to the north adjacent to new proposed indoor gymnastic building. Access from the street has been provided for pedestrians traveling by foot and a new bicycle rack has been proposed to promote other forms of transportation. The new parking lot is set up to accommodate ada parking access and new parking islands to provide shading. All indoor and outdoor lighting will meet or exceed applicable ASHRE Standards to minimize light trespass and reduce sky glow. All design concepts have followed the Town of Gilberts Development Standards.

The site places great emphasis on the site's relationship to the residential development to the east. The building set back from the east property line is set back as far as possible to provide adequate screening with proposed plant vegetation. New dense row of trees are being proposed between proposed outdoor trapeze area and adjacent residential area to the east. The outdoor trapeze area is the existing on site outdoor trapeze area being relocated. The outdoor trapeze area consist of nets for safety and high raised trapeze equipment. All lighting on equipment is existing and meets city of Gilbert standards for lighting. All landscape being proposed is low water and low maintenance. The landscape design has been used to enhance the pedestrian walk ways and gathering areas to enhance the pedestrians experience.

Vehicle access is by means of two new drive approaches off of 144th St.. Total parking required is 32 stalls and 44 stalls have been provided with two accessible parking spaces. A four ring bicycle rack has been provided which is the minimum requirement for overall square footage. The site landscape being proposed is 13,258 S.F. 33% of overall site, which is much greater than what is required for minimum landscaping on site. This is intended to provide adequate screening for noise and sight pollution.

The building being proposed is a sign story building with is approximately 35' in height. The building layout will consist of a new lobby at main entrance with Men and Women's restroom with minimum plumbing fixtures required by code to the west. As you move north to gymnasium there is a new office location to the east. The gymnasium has exit doors to the east where existing outdoor trapeze equipment is being relocated to. Resting rooms are being proposed at far north of building past gymnasium.

Exterior of building consist of metal siding, stucco, cmu, metal and glass and all colors being proposed are consistent with development standards. Cocoa brown and tan are being proposed on the metal siding. A red contrast is being painted over the brick to give a natural red brick color and a navy blue and gray are being proposed for accent colors.

PROJECT DATA:

APN: 304-54-021J  
EXISTING ZONE: BP  
TOTAL NET SITE AREA = 40,808 S.F.  
= 0.937 AC.  
TOTAL GROSS BUILDING AREA = 6,790 S.F.  
LOT COVERAGE % = 6,790 / 40,808 X 100 = 16.64 %  
TOTAL LANDSCAPE AREA (ON SITE) = 20,669 S.F.  
LANDSCAPE AREA COVERAGE % = 20,669 / 40,808 X 100 = 50.65 %

PARKING CALCULATION:

- ENTERTAINMENT AND RECREATION, INDOOR : 1,920 S.F. / 150 = 12.8  
- OFFICE, GENERAL : 4,870 S.F. / 250 = 19.5  
- ENTERTAINMENT AND RECREATION, OUTDOOR : 2  
TOTAL PARKING REQUIRED (PER TOWN OF GILBERT LAND DEVELOPEMENT CODE 4.204) : 35  
TOTAL PARKING PROVIDED : 47  
TOTAL ACCESSIBLE PARKING REQUIRED (PER 2012 IBC 1106.1) : 2  
TOTAL ACCESSIBLE PARKING PROVIDED : 2

TOTAL BICYCLE RACK REQUIRED (PER TOWN OF GILBERT LAND DEVELOPEMENT CODE 4.2016.A.2) : 4  
TOTAL BICYCLE RACK PROVIDED : 4

UP13-23

Attachment 4: Site Plan

March 5, 2014

PROPOSED NEW FACILITY FOR:

TRAPEZE U  
815 E. PECOS RD.  
GILBERT, AZ

PROJECT NAME AND ADDRESS

	TOWN OF GILBERT COMMENTS	02.11.14
No.	REVISION / ISSUE	DATE



3949 North Arboles Cir, Mesa, Arizona 85207  
T: 602-882-5608 F: 480-476-0617



TITLE  
SITE PLAN

SCALE		AS NOTED		DWG. No.	SP1
DATE		02/11/14			
CHK. BY	W.Y.	DWG. BY	H.L.		
REF. No				PROJECT	



UP13-23

Attachment 5: Project Narrative

(4 pages)

March 5, 2014

PUP-2013-00023 - Trapeze U  
815 E Pecos Rd  
Revised Narrative: 02-23-2014

**Description of Proposed Use:**

Trapeze U is requesting a Use Permit to operate an indoor/outdoor circus arts training facility and fitness center. We will be offering various circus arts and fitness classes to the general public. We also will offer teambuilding and corporate events to local businesses. We envision a comprehensive, circus arts training facility, family fitness center, and a small scale venue for corporate teambuilding events.

The indoor facility will offer aerial arts classes and various fitness classes to the public.

In the 50' x 80' portion of the facility we intent to offer circus lessons for a variety of different levels.

- Examples of circus style, aerial arts classes are: flying trapeze, aerial silks, static trapeze, and lyra.

Toward the North side of the building we will have studio space for additional fitness classes.

- Examples of fitness classes are: yoga, aerial yoga, pilates, conditioning, flexibility, and acrobatic classes.

The outdoor area will offer flying trapeze classes as the weather and seasons permit.

**Class Size:**

Each class size (or max) will be different depending on the necessary equipment and instructors required.

For flying trapeze our largest class would be 15 students with 3 instructors, with the normal class max at 10 students.

The average number of students is 4-8 in each class, classes are staggered throughout the day based on demand, occupancy and parking.

Aerial Classes will be a 6 person max per instructor.

Group classes (yoga, pilates and conditioning) in the north studio space (REST) will be 20 students with no divider and 10 with the divider in place.

**Demographic:**

The average age for students is 30-40 years old with a mix of about 65% Female to 35% Male in moderate physical shape. We will have classes open to kids as young as 4 years old, as well as, teen programs; however this is not our core demographic.





### Hours of Operation:

- **Indoor:** We will be open every day of the week, operating within the hours of 6am - 10pm. We have included an example schedule of our classes. These hours and classes will vary based on demand.
- **Outdoor:** Our outdoor hours will vary based on the season. We expect our outdoor summer operation hours to be between 7am & 12pm, and also between 7pm & 9pm, daily. Expected winter hours would be 10am-5pm daily.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
10am Aerial	7am Aerial Yoga	7am Yoga	7am Aerial Yoga	7am Yoga	7am Aerial Yoga	8am Fitness
10am Core & Flexibility	830 Hooping	830 Fitness	830 Fitness	830 Fitness	830 Fitness	9am Circus Cond
11am Flying Trapeze	9am Circus Cond	10 Flying Trapeze	10am Core & Flex	10 Flying Trapeze	10am Circus Cond	9am Open Aerial
11am Juggling	10am Flying Trapeze	1130 Aerial	11am Flying Trap	1130 Aerial	11am Lyra/Static	10am Flying Trapeze
11am Tightwire	330 Kids Circus	330pm Kids Circus	330 Kids Circus	330pm Kids Circus	12:30 Silks	10am Kids Tumbling
1pm Flying Trapeze	6pm Flying Trap	4pm Kids Tumbling/Cheer	5pm Tightwire	4pm Tumbling/Cheer	2pm Flying Trapeze	12pm Silks
1pm Silks	6pm AcroYoga	530 Flying Trapeze	5pm Juggling	530 Flying Trapeze	3:30 Kids Circus	12pm Static Trap/Lyra
1pm Circus Condition	7pm Tightwire	7pm Core & Flexibility	530 Flying Trap	7pm Flying Trapeze	530 Juggling	1:30 Flying Trapeze
3pm Flying Trapeze	7pm Open Aerial	7pm Flying Trap-IT	630 Aerial	730 Silks	530 Silks	3:00 Tighwire
3pm Core & Flexibility	730 Family Night Trapeze	7:30 Circus Cond	7pm Flying Trapeze	730 Circus Cond	6pm Flying Trapeze	3:00 Juggling
3pm Open Aerial	730 Core & Flex		730 Core & Flex		7pm Open Aerial	4:00 Teen Trapeze
					730 Core & Flex	5:30 Core & Flexibility

### Spectators:

The mezzanine will be open as seating for spectators to give our guests an elevated view of the facility. Additional seating will be surrounding the main floor along the outer edge of the 80' X 50' perimeter. The lower level will accommodate for additional spectators and those with physical disabilities to provide ADA seating. We have calculated 1 spectator for every 4 students, using our past class history as an estimate.

### General Plan Compliance:

The property is currently zoned as Business Park (BP) which allows for Indoor Entertainment and Recreation-Small Scale, which will be the predominant use of our business. Our proposed building is 6,540 sq ft. Operating our outdoor, flying trapeze rig requires us to obtain a Conditional Use Permit. The outdoor rig will be on the east side of the proposed building and will look very similar to the outdoor rig that has been in use for the past six years. Currently, our outdoor rig is in the center of our property, but will shift to the east side of our proposed new building and will neighbor the property directly east of us.

Below is an image of what the outdoor rig looks like. It will look very similar once the build is complete. The highest cross bar on the rig is 33'h. The width of the rig is 15' wide. The outdoor rig will border the property to the East as far back as possible within the allowed BP setback. A new dense row of trees is being proposed to provide adequate screening.





#### Site Narration:

We will be removing ALL old structures that are currently on the property except for the community well that is shared by 3 of our neighbors. We are requesting approval to construct a completely new building. The building will be a combination of a metal siding, stucco, cmu, and glass in order to conform with the DRB wishes. See attached Elevations for proposed material and color examples. The layout consists of a lobby and the main entrance with Men's and Women's ADA compliant restrooms. There is a main gymnasium with an office to the east. The gym has exit doors to the east where the outdoor trapeze is being located.

We will be installing entirely new site landscaping that complies with TOG's requirements. Proposed landscaping is 13,258 sq ft (33%) of the overall site, which exceeds the minimum requirements, and is low water and low maintenance. The landscape design deliberately enhances the pedestrian walkways and gathering areas. We have attached the Landscape Plan for your review.

Access from the street has been provided for pedestrians and a bicycle rack has been proposed to promote other forms of transportation. The new parking lot will accommodate ADA parking access and have islands to provide shading. There are 44 total parking stalls with two accessibly parking spaces.

All indoor and outdoor lighting will meet or exceed applicable ASHRE standards to minimize light trespass and reduce sky glow. All design concepts have followed the TOG Development Standards.

Our plan does call for a Phase 1 and Phase 2. However, the project is not being phased. The whole site is being developed under this permit. We are only requesting to build Phase 1 at this time, and do not have a clear idea on the timing for Phase 2. We do not anticipate this build out in the next 3 years, but want to allow for the space in the event our business requires growth.







### **Required Findings of Fact:**

1. The proposed use will not be detrimental to health, safety, or general welfare of persons living or working in the vicinity, to adjacent property, to the neighborhood, or to the general public

- Our proposed use will not be detrimental to the health, safety or welfare any our neighbors, or to the general public. We do not produce any form of waste that is hazardous. Our equipment is inspected and maintained on a daily basis. Our facility will be beneficial to our community by offering fitness classes and supporting the general health and well-being of the children and adults in our community.

2. The proposed use conforms with the purposes, intent, and policies of the General Plan and its policies and any applicable area, neighborhood, or other plan adopted by the Town Council.

- The proposed use of Entertainment and Recreation, Indoor is permitted within the General Plan Land Use Map. Our facility will offer job opportunities and growth that will support the economic development of the TOG. Also, our proposed use will contribute greatly to the Community Livability goals of the Town. Our business caters to the physical and mental well-being of children and adults and encourages families to attend our classes together. By offering after-school programs, "family nights", and summer/spring/fall/winter Kids Camps, we will be supporting the TOG's goal to be a family-focused community and we will be a successful example of the "Gilbert: Clean, Safe, Vibrant" motto.

3. The proposed use conforms with the conditions, requirements, or standards required by the Zoning Code and any other applicable local, State, or Federal requirements.

- The proposed use of Entertainment and Recreation, Indoor is permitted within BP Zoning District. While our classes will be predominantly indoors, we are requesting this UP to be able to offer outdoor flying trapeze classes during clement seasons.

4. The proposed use, as conditioned, would not reasonably interfere with the use and enjoyment of nearby properties.

- Trapeze U has been on the current property, operating the outdoor trapeze rig, since opening on County Land in March of 2008. We have enjoyed the support of our neighbors and we do not and will not interfere with the use or enjoyment of their properties. Please see attached letters in support from our neighbors directly bordering our property to the East and South of us. The proposed outdoor trapeze will be located closest to our East neighbor, Robert and Becky Poulin.